IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO.5501 of 2005

Between:

C.Venkateswara Rao, S/o.Venkata Ramaiah, 50 years,
Sarpanch, Chigurukota Village, Mudinepalli Mandal, Krishna District.

...PETITIONER

AND

1. Government of A.P., rep.by its Principal Secretary, Panchayat Raj Department, Secretariat Buildings, Hyderbad.
2. The District Collector, Krishna District at Machilipatnam.
3. Divisional Panchayat Officer, Gudivada, Krishna District.
4. Mandal Parishat Development officer, Mudinepalli, Krishna District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of Mandamus or any other appropriate writ or order or direction declaring the action of the second respondent in issuing the order of suspension in Rc.No.2295/2004-05 dated .01.2005 signed on 05.03.2005 as arbitrary, illegal, unconstitutional and unjust.

Counsel for the Petitioner: MR.K.SURESHREDDY

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEVELOPMENT

The Court made the following:

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO.5501 of 2005

ORDER:

This Writ Petition is filed aggrieved by the order dated 05.03.2005 passed by the second respondent under Section 249 (6) of the Panchayat Raj Act, 1994 ('the Act' for brevity). Against the said order, an alternative remedy is available by way of revision under Section 264 of the Act. Without exhausting the said remedy, the petitioner cannot seek relief by way of this Writ Petition.

Accordingly, granting leave and liberty to the petitioner to work out the alternative remedy available under the Act, the Writ Petition is disposed of. No costs.

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(G.ROHINI, J)

18th March 2005

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The Principal Secretary, Government of A.P., Panchayat Raj Department, Secretariat Buildings, Hyderbad.
2. The District Collector, Krishna District at Machilipatnam.
3. The Divisional Panchayat Officer, Gudivada, Krishna District.
4. The Mandal Parishat Development officer, Mudinepalli, Krishna District.
5. Two CCs to G.P. for Panchayat Raj & Rural Development, High Court Buildings, Hyderabad (OUT).
6. Two CD copies.